



COMMONWEALTH OF MASSACHUSETTS
**Board of Registration
of
Hazardous Waste Site Cleanup Professionals**

MINUTES
of
BOARD MEETING
Held on
April 5, 2011

Meeting Location: Raytheon Company
870 Winter Street
Waltham, Mass.

Prepared by: T. Wood

[Approved: June 23, 2011]

List of Documents Used at the Meeting:

1. Agenda
2. Draft Minutes of Meeting held on February 7, 2011
3. Application Dockets
4. Renewal Dockets
5. List of LSPs whose licenses were suspended effective close of business on 4/1/11 for non-payment of the annual fee.

1. **Call to Order:** Chairperson Janine Commerford called the meeting to order at approximately 2:55 p.m. The other Board members present were Gail Batchelder, Kirk Franklin, Deborah Farnsworth, Robert Luhrs, Jack Guswa, Gretchen Latowsky. Board members absent: Christophe Henry, Kelley Race and Debra Stake. The LSP Board staff members present were Lynn Read, Terry Wood and Al Wyman. Also present was Wes Stimpson of the LSP Association; Wendy Rundle, the Executive Director of the LSP Association; and Tom Potter from MassDEP.
2. **Announcements:** None.
3. **Agenda:** Ms. Wood asked that an item be added to the agenda: item 14.D Other New Business – Consideration of a change to the LSP Web site. The Board members agreed to follow the agenda as amended.
4. **Minutes:** The Board reviewed the draft minutes of the meeting of the Board held on February 7, 2011. **A motion was made and seconded to approve the minutes. The motion was approved unanimously.**

5. **Decisions Regarding Licensing of Applicants:** The staff presented the following Application Dockets:

ID #	Applicant Name/Company Name	ARP #	REC.
2647	David E. Leone/ GZA GeoEnvironmental, Inc.	235	A
9921	David C. Del Marco/GZA GeoEnvironmental, Inc.	235	A

Mr. Luhrs was recused and left the room.

A motion was made and seconded to accept the recommendation from Application Review Panel #235, i.e., that the applications submitted by Mr. Leone and Mr. Del Marco be approved and that they be found eligible to take the exam. The motion was approved unanimously.

Mr. Luhrs returned and rejoined the meeting.

ID #	Applicant Name/Company Name	ARP #	REC.
5242	Michael J. Dziura/Corporate Environmental Advisors, Inc.	236	A

Ms. Commerford was recused and left the room.

A motion was made and seconded to accept the recommendation from Application Review Panel # 236, i.e., that the application submitted by Mr. Dziura be approved and that he be found eligible to take the exam. The motion was approved unanimously.

Ms. Commerford returned and rejoined the meeting.

6. **License Renewal Applications:**

A. Renewal Dockets. The staff presented the following License Renewal Dockets:

Renewal Docket #1
Renewal Date: January 30, 2011
New Renewal Date: January 30, 2014
 Completed all requirements for renewal.

<u>LSP #</u>	<u>First Name</u>	<u>Last Name</u>
9099	David	Egan
7122	Kim	Henry
7333	Alfred	Leonard
9595	John	O'Donnell
6597	Stake	Debra
1286	Paul	Steinberg

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1443	Roger	Thibault
8765	Duncan	Wood
7262	Eric	Wood

Renewal Docket #2

Renewal Date: January 30, 2011

Extension Date: April 30, 2011

Requesting a 90-day extension:

<u>LSP #</u>	<u>First Name</u>	<u>Last Name</u>
3742	Michael	Dacey
9181	Richard	Geisler
9380	Alistair	MacDonald
7893	Mark	Nelson
4165	Abhijit	Nobis
2527	Thomas	Nunno
9546	Joseph	Salvetti
4813	Kevin	Sheehan
9119	Ellen	Thibodeau
3507	Stephen	Vetere

Renewal Docket #3

Renewal Date: January 30, 2011

New Renewal Date: January 30, 2014

Prior 90-day extensions now complete

- | | |
|---------------------|-------|
| 1. Matthew Barvenik | #1631 |
| 2. R. Duff Collins | #6314 |
| 3. David Crispin | #9788 |
| 4. Anthony Deltufo | #8959 |
| 5. David Maclean | #9056 |
| 6. Charles Race | #8523 |
| 7. Frank Vetere | #2413 |

Renewal Docket #4

Renewal Date: April 30, 2011

New Renewal Date: April 30, 2014

Has completed all requirements for renewal:

- | | |
|-----------------------|-------|
| 1. James R. Borrebach | #2149 |
|-----------------------|-------|

2. Suzanne Courtemanche #1078
3. Janice Derby #7609
4. Kimberly Longridge #5661
5. Chester Myers #1701
6. Richard Rheaume #6837
7. Rebecca Wooley #7126

Renewal Docket #5

Old Renewal Date: July 30, 2010

New Renewal Date: April 30, 2014

License expired on July 30, 2010, for lack of credits.
Individual has completed renewal requirements within
1-year deadline and is now eligible for active status:

1. Michele Paul #4129

Renewal Docket #6

Renewal Date: January 30, 2011 (221 total LSPs)

New Renewal Date: July 30, 2014

Prior 90-day extensions

Licenses likely to lapse on April 30, 2011, for lack of credits

In the event any of the following LSPs' licenses lapse on April 30, 2011 for lack of credits, the Education Coordinator requests that the Board conditionally approve the LSP to resume ACTIVE status if the LSP obtains the credits required for renewal prior to the next Board meeting. The EC requests the Board deem the LSP able to resume ACTIVE status as of the day a Board staff member verifies that the LSP has obtained the credits required to renew.

LSP #	First	Last
4521	Mr. Raymond G	Ball
4141	Mr. Michael P	Bingham
5573	Mr. Marco D	Boscardin
9492	Mr. Ronald K	Burns
9096	Ms. Kathleen C	Creighton
3452	Mr. Michael J	DeRosa
9350	Ms. Dawn L	Horter
6215	Ms. Janet S	Humes
4280	Mr. John	Kubiczki
8104	Mr. William E	Kuriger
4913	Mr. Jack M	McKenna
8097	Mr. Anthony J	Tawa

6746	Mr.	Joseph	P	Vitale
5463	Mr.	Richard	J	Wozmak
3742	Mr	Michael	F	Dacey
4165	Mr	Abhijit		Nobis
2527	Mr	Thomas	J	Nunno
3507	Mr	Stephen	A	Vetere

8. Other Licensing-Related Matters:

A. New Panel Assignments and Scheduling. The following Board members were assigned to Application Review Panel #238: Ms. Commerford and Mr. Franklin. Ms. Wood will send a request for a third member of the panel to the Board members who are absent from today's meeting.

B. Appeals Status Report. Ms. Wood reported that there are no pending appeals regarding the Board's denial of a license application.

C. LSPs Who Have Voluntarily Withdrawn from Profession and Surrendered Licenses: The staff reported that the following LSPs have withdrawn from the profession since the last Board meeting:

- P. Douglas Burgess (#2841)
- Maureen Hill Collins (#5876)
- Michael Talbot (#1743)
- Michael Shaw (#8926)
- Kevin Riley (#2831)

D. License expired for failure to renew. The staff reported that the following LSPs' licenses expired at the c.o.b. 1/30/11 for failure to renew:

- Raymond W. Talkington (#6573)
- Michael Powers (#3436)
- Alton Stone (#4058)

E. License Reinstated and Renewed after Suspension. The staff reported that the license of LSP William Baird (#2791) was renewed as of March 1, 2011 following completion of a disciplinary suspension and meeting all renewal requirements.

F. Total Number of Active LSPs. The staff reported that the total number of Active LSPs as of the date of this meeting was 543.

9. Examinations:

A. New Licensees. The staff reported that the following LSP approved pass the licensing

exam as the result of an exam challenge and is now an LSP:

- | | <u>Exam Date</u> |
|-------------------------|------------------|
| • James Currier (#2373) | 12/3/10 |

B. Date of Next Exam. The staff reported that the next exam will be given June 6 and June 8-10, 2011.

C. Discussion re: reconvening exam subcommittee. Ms Commerford stated that developing new questions for the LSP exam will require a significant effort and assistance will be needed from the LSP Association in helping identify LSPs who might be interested in assisting with the project. She stated that the Board should talk about updating the exam in the near future.

10. Continuing Education Committee Report:

A. Course and Conference Approval Requests. Mr. Wyman reported that the Committee had met earlier in the day and had the following course recommendations to present to the full Board:

Sponsor: Regenesys
Course Title: Integrated Site Remediation
Credits Requested: 4 non-DEP Technical Credits
Committee Recommendation: **Approve.**

Sponsor: Fletcher
Course Title: Soil Field Skills Workshop for LSPs
Credits Requested: 8 non-DEP Technical Credits
Committee Recommendation: **Approve.**

Sponsor: Environmental Software Consultants, Inc.
Course Title: SESOIL and AT123D
Credits Requested: 16 non-DEP Technical Credits
Committee Recommendation: **Approve.**

Sponsor: ICMA
Course Title: Brownfields 2011, Conference, Pennsylvania
Credits Requested: 50% Credit
Committee Recommendation: **Deny.**

Sponsor: MassDEP
Course Title: Managing Construction Activities at Disposal Sites
Credits Requested: 2 DEP Credits
Committee Recommendation: **Approve.**

Sponsor: MassDEP

Course Title: Meeting MCP Requirements for Ecological Risk Assessment

Credits Requested: 2 DEP Credits

Committee Recommendation: **Approve.**

Sponsor: UMass/TEL

Course Title: Sustainable Remediation Conference -- 2011

Credits Requested: 50% Credit

Committee Recommendation: **Approve.**

A motion was made and seconded to accept the Committee's recommendations. The motion was approved unanimously.

B. Other Business:

LSP Alton Stone (#4058) requested a waiver to extend the deadline for him to obtain sufficient continuing education credits needed to renew his license. His license renewal date was January 30, 2011. He did not have the credits needed to get a ninety-day extension of his license. Therefore, his license expired as of the close of business on January 30, 2011. He requested that the Board reinstate his license and extend his deadline to renew until such time as sufficient continuing education credits are offered. He provided a letter in support of his request.

Committee's Recommendation: **Deny the waiver request.**

A motion was made and seconded to accept the Committee's recommendation. The motion was approved by a vote of five (Ms. Batchelder, Ms. Commerford, Ms. Farnsworth, Mr. Franklin and Mr. Luhrs) to one (Ms. Latowsky).

After the vote, Mr. Guswa returned to the room.

LSP Jack McKenna (# 4913) requested a waiver to extend the deadline for him to obtain sufficient continuing education credits needed to renew his license. His license renewal date was January 30, 2011 but he is currently on a 90-day extension that is scheduled to expire on April 30, 2011. He requested that the Board extend the deadline to renew beyond April 30, 2011 until such time as sufficient MassDEP credits are offered. He provided a letter in support of his request.

Committee's Recommendation: **Approve the waiver request and extend the deadline for Mr. McKenna to renew his license to the date when the next 6 available MassDEP credits are offered.**

A motion was made and seconded to accept the Committee's recommendation to approve the request. The motion did not pass. The vote was four in favor (Ms. Batchelder, Ms. Farnsworth, Mr. Franklin and Ms. Latowsky) and three opposed (Ms. Commerford, Mr. Guswa and Mr. Luhrs).

LSP Thomas Nunno (#2527) requested a waiver to extend the deadline for him to obtain sufficient continuing education credits needed to renew his license. His license renewal date was January 30, 2011 but he is currently on a 90-day extension that is scheduled to expire on April 30, 2011. He requested that the Board extend the deadline for him to renew his license beyond April 30, 2011 until such time as sufficient MassDEP credits are offered. He provided a letter in support of his request.

Committee's Recommendation: **Deny the waiver request.**

A motion was made and seconded to accept the Committee's recommendation to deny the request. The motion was approved by a vote of five (Ms. Batchelder, Ms. Commerford, Mr. Franklin, Mr. Guswa, and Mr. Luhrs) to two (Ms. Farnsworth and Ms. Latowsky).

11. **Professional Conduct Committee:** Since all the Board members present at this meeting were also present at the meeting of the Professional Conduct Committee held earlier in the day, the Board agreed to forego a Committee report.

12. **Personnel, Budget, and Fees**

A. Personnel Update. Ms. Commerford reported that the Board staff was still composed of three people.

B. Budget. Ms. Wood reported that the Governor's proposed 2012 budget proposes level funding for the LSP Board.

C. Fees. The staff reported that the licenses of the following LSPs have been suspended as of the close of business on 4/1/11 for failing to pay the annual fee. The LSPs have ninety days to pay the fee or their licenses will expire:

Leni-Sarah Boucher (LSP # 8303)
Edward M. Cobbett (LSP #6957)
Cheryl Lynn Coderre (LSP # 6410)
Robert S. Cummings (LSP #9003)
Michael P. Flynn (LSP # 3560)
A. Lee Gustafson (LSP #9742)
Joel S. Lindsay (LSP #4361)
Paul G. Sutton (LSP #9240)
Patrick O. Vargo (LSP #2955)

13. **Status of Board Member Replacements by Governor:** Ms. Commerford stated that she understands that a background check is being conducted regarding one applicant. In response to questions by some Board members, Ms. Commerford discussed the appointment process.

14. **Other Business:**

A. Feedback from LSP Course Subcommittee. Ms. Commerford stated that the committee had not met since the last meeting. She stated that plans for the course had

been stalled because of Ms. Wood's workload. Ms Commerford asked the Board members whether they wanted to move forward and offer a course even if Ms. Wood and the rest of the Board staff would be less involved in planning and administration. The consensus of the Board was to move forward with the course and to try to hold the course in late May or June 2011. Ms. Commerford asked Ms. Rundle and Mr. Stimpson if the LSPA planned to purchase a clicker system in the near future that might be available for use at the LSP Board course. Ms. Rundle and Mr. Stimpson stated that the purchase of the clicker system had been approved so it was likely they would have the equipment to use at the course.

- D. **Topic for next article in the *LSPA News*.** One topic discussed for an upcoming article was the recent Superior Court and Appeal Court decisions regarding disciplinary case 00C-004.

E. **Other New Business**

Request that Expired LSPs be removed from Board Web site. Ms. Wood stated that she had received a request for the Board to consider removing LSPs whose licenses have expired from the searchable database on the Board's Web site. After discussion, the consensus of the Board was not to change its current policy of including everyone who ever had an LSP license in the searchable database on the Board's Web site.

15. **Scheduling of Next Meeting:** The Board plans to meet on June 23, 2011 at a location to be determined.
16. **Adjournment:** The meeting was adjourned at 3:53 p.m.